

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 06-10

A RESOLUTION DIRECTING THE ENGINEERING STAFF TO ESTABLISH A PROPOSED LOCAL IMPROVEMENT DISTRICT (LID) AS A PROJECT IN THE FY 2005-06 CIP (CAPITAL IMPROVEMENT PROGRAM), DIRECTING THE PREPARATION OF A PRELIMINARY ENGINEER'S REPORT FOR THE PROPOSED LID IN THE TIGARD TRIANGLE AND AUTHORIZING THE ESTABLISHMENT OF A FUNDING MECHANISM FOR THE PREPARATION OF THE REPORT.

WHEREAS, properties in the Tigard Triangle are zoned MUE (Mixed-Use Employment) and C-G (General Commercial); and

WHEREAS, some of those properties are currently residential in nature, but are in the process of converting to commercial; and

WHEREAS, the Tigard Triangle Plan established guiding principles (adopted into the Development Code as Chapter 18.620) that when implemented would develop the Triangle into a high-quality mixed-use employment area; and

WHEREAS, the Tigard TSP (Transportation System Plan), adopted in 2002, identified the Tigard Triangle as an area where the street infrastructure needs to be significantly upgraded to meet those established standards. ; and

WHEREAS, recent efforts to enhance this sparsely developed area have included the following LID's:

<u>Year</u>	<u>Local Improvement District</u>
1984	68th Avenue Sanitary Sewer Local Improvement District (LID 42)
1993	Combined Dartmouth Street LID and C.I.P. Phase 2 Project
1998	69th Avenue Local Improvement District (Specht Development, Inc.); and

WHEREAS, the formation of an LID (Local Improvement District) for construction of street improvements would address some of the deficiencies identified in the TSP by upgrading the streets within the LID boundary to meet the current standards; and

WHEREAS, Specht Development, Inc. has submitted a petition requesting the formation of an LID to improve certain streets within the Tigard Triangle; and

WHEREAS, the proposed LID boundary within the Tigard Triangle is defined as SW 68th Avenue, SW 69th Avenue, and SW 70th Avenue between SW Dartmouth Street and SW Baylor Street and SW Dartmouth Street and SW Clinton Street between SW 68th Avenue and SW 70th Avenue; and

WHEREAS, the Engineering staff prepared a Preliminary Evaluation Report (attached as Attachment 1.2), which was submitted in draft form to the City Council for discussion and direction during its February 21, 2006 meeting; and

WHEREAS, the Preliminary Evaluation Report determines that the proposed LID appears feasible and recommends that the City Council take the next step in the LID formation process by authorizing the preparation of a Preliminary Engineer's Report; and

WHEREAS, the proposed LID is not listed as a project in the FY 2005-06 Capital Improvement Program (CIP) and there is currently no existing budget resource for the cost of preparing the Preliminary Engineer's Report; and

WHEREAS, Specht Development, Inc. has agreed to deposit, in advance of any work, the amount needed for preparation of the Preliminary Engineer's Report with the understanding that the City include the cost of preparing the report in the total cost of the LID, if and when the City establishes the District; and

WHEREAS, City Council discussed the proposed LID and indicated that the LID boundary and improvements to be constructed by the LID are satisfactory as submitted; and

WHEREAS, the City Council has directed staff to prepare a resolution authorizing preparation of a Preliminary Engineer's Report and submit that resolution for adoption at a City Council business meeting.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

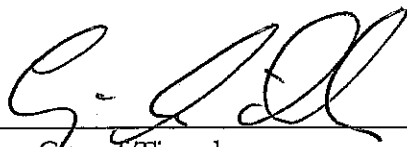
SECTION 1: The proposed LID in the Tigard Triangle is hereby added to the list of projects for the FY 2005-06 Capital Improvement Program.

SECTION 2: The Engineering staff is directed to proceed with preparation of a Preliminary Engineer's Report, which includes "60% complete" engineering plans in sufficient detail to provide reliable cost estimates and to meet requirements for various permit applications.

SECTION 3: The Preliminary Engineer's Report should include the scope of work, location of the proposed improvements, financial information, the proposed district boundaries, estimated costs, proposed assessment methods, and other information that may be relevant to the feasibility of the proposed improvements and district. The report should recommend approval, approval with conditions, or denial.

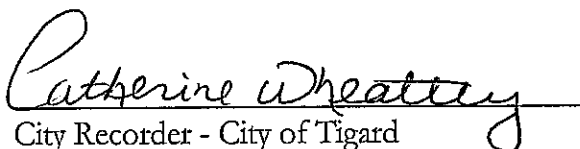
- SECTION 4: The City staff is directed to proceed with the establishment of the funding mechanism in the amount of \$70,000 to cover the anticipated expenses during the remainder of FY 2005-06 for preparation of the Preliminary Engineer's Report. A contingency transfer from the Gas Tax Fund is authorized as the funding source for the purpose of preparing the report. Any budget adjustments requiring Council action and necessary for the establishment of the project funding shall be brought to Council for appropriate action.
- SECTION 5: Before work begins on the preparation of the Preliminary Engineer's Report, Specht Development, Inc. will deposit an amount to cover the engineering contract and administrative costs for the preparation of that report. If the City establishes the LID, the cost of preparing the report shall be included in the total cost of the LID. In this case, Specht Development, Inc. will be refunded the amount deposited. If the City does not establish the LID, Specht Development, Inc. will be given the remaining balance of their deposit, less all actual costs incurred in preparing the report.
- SECTION 6: All costs incurred after the date of this resolution to prepare the Preliminary Engineer's Report and form the district shall be included as part of the LID costs and shall be reimbursed to the City if the LID is formed and the improvements are constructed.
- SECTION 7: This resolution is effective immediately upon passage.

PASSED: This 28th day of February 2006.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

Preliminary Evaluation Report

Formation of a Local Improvement District in the Tigard Triangle

Background

It is proposed to develop a Local Improvement District (LID) including street and utility improvements to SW 68th Avenue, SW 69th Avenue, SW 70th Avenue, SW Dartmouth Street and SW Clinton Street, all within the Tigard Triangle, between SW Dartmouth Street and SW Baylor Street, and between SW 68th Avenue and SW 70th Avenue (Attachment 1.2; p. 8). The area consists of a transforming balance of residential to commercial zoning (Attachment 1.2; p. 9). Recent efforts to enhance this sparsely developed area have included the following LID's: (Note: In 1998, Specht Development, Inc. initiated a successful LID responsible for improvements to SW 69th Avenue south of Dartmouth Street)

<u>Year</u>	<u>Local Improvement District</u>
1984	68 th Avenue Sanitary Sewer Local Improvement District (LID 42)
1993	Combined Dartmouth Street LID and C.I.P. Phase 2 Project
1998	69 th Avenue Local Improvement District (Specht Development, Inc): 2,750 lineal feet of partial/full-width street improvements

Specht Development, Inc. is the owner or contract purchaser of fifteen (15) of the twenty five (25) parcels within the proposed LID boundary (Attachment 1.2; p. 11). These parcels comprise 59% of the land area (Attachment 1.2; p. 12) and 64% of the street frontage within the assessment district (Attachment 1.2; p. 13). The Tigard Municipal Code (TMC) 13.04.020 specifies that an LID may be initiated by written petition of "property owners owning at least fifty percent of the property benefited by the local improvement" (Attachment 1.2; pp. 2-4 & 14).

Current Proposal

The proposed Local Improvement District in the Tigard Triangle will be for the express purpose of improving the following streets to partial of full standards as required by the City of Tigard (Attachment 1.2; p. 6)

- SW 68th Avenue (between SW Dartmouth Street and SW Baylor Street)
- SW 69th Avenue (between SW Dartmouth Street and SW Baylor Street)
- SW 70th Avenue (between SW Dartmouth Street and SW Baylor Street)
- SW Dartmouth Street (between SW 68th Avenue and SW 69th Avenue)
- SW Clinton Street (between SW 68th Avenue and SW 70th Avenue)

The improvements to the aforementioned streets would include:

- | | |
|--------------------|--|
| • Asphalt Pavement | • Water Improvements |
| • Curb and Gutter | • Storm Drainage |
| • Sidewalks | • Utility Undergrounding |
| • Street Trees | • Right-of-Way Acquisition, if necessary |
| • Street Lighting | • Tigard Triangle Portal Enhancement(s) |
| • Street Signs | |
| • Sanitary Sewer | |

The LID would provide highly visible enhancements to the Tigard Triangle area, particularly SW Dartmouth Street and SW 68th Avenue. Each of these streets, within the proposed district boundary, is at the Dartmouth St terminus of the previous LID's. Consequently, an obvious visual difference is noticed on the north side of SW Dartmouth Street between the I-5 On/Off Ramps and SW 69th Avenue. It should also be noted that the I-5 Ramp intersection is a designated Tigard Triangle Portal. Therefore, consideration would be given to enhancements associated with that distinction such as the monument on SW 72nd Avenue at the northbound 217 on/off-ramp intersection (Attachment 1.2; p. 17).

Cost Estimate

Without the benefit of greater detail for the scope of work, we submit the following estimate for the total cost of the currently proposed LID. According to the Preliminary Engineer's Report on record, the total LID cost for the 1998 SW 69th Avenue LID project was \$1,288,005.00. After evaluating that cost per linear foot of street improvements, our estimate will use a cost of \$500 for full width and \$337 for partial width street improvements. These unit costs assume a similar scope of work. For the purpose of a preliminary evaluation, we will estimate the total LID cost based on the following values (Note: These costs do not reflect cost of living increases and general inflation).

<u>Work Item Description</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Item Cost</u>
Partial Street Improvements:	2,015 linear feet	\$337/LF	\$679,500.00
Full Street Improvements:	1,220 linear feet	\$500/LF	<u>\$610,000.00</u>
Sub Total:			\$1,289,500.00
<u>Ancillary Costs</u>	<u>Portion of Sub Total</u>	<u>Item Cost</u>	
City of Tigard			
Administrative/Construction Services:	8%	\$100,000.00	
Preliminary Engineer's Report and			
60% Complete Construction Drawings	10%	\$125,000.00	
Completion of Final Construction Drawings	6%	<u>\$75,000.00</u>	
Total LID Cost:			\$1,589,500.00

The 25 parcels within the proposed LID boundary combine for a total of 297,525 square feet (Attachment 1.2; p. 14). When consideration is given to the general feasibility of a proposed LID, a ratio of 3:1 of land value (\$15/square foot) to the total cost of the LID is favorable. In this case, the ratio is approximately 2.81:1.

$$297,525 \text{ SF} \times \$15/\text{SF} = \$4,462,875.00$$

$$\text{Estimated LID Cost} = \$1,589,500.00$$

The Local Improvement District (LID) formation process.

The LID process has several steps in it. The basic concept of any LID is that the benefited properties pay for the improvements. The following is the LID process, in accordance with our City Municipal Code:

- Preliminary Evaluation Report
- Preliminary Engineer's Report
- Declaration of intention to form the district

- District formation
- Construction of Improvements
- Spreading of assessments by ordinance

We are currently preparing the Preliminary Evaluation Report, which should provide sufficient information for Council to make a decision on whether or not to proceed with directing staff to prepare a Preliminary Engineer's Report for the purpose of evaluating the feasibility of forming the LID. The Preliminary Engineer's Report will also have the proposed methodology for distributing the costs, the proposed LID Boundary, and the benefited properties that would be included in the LID.

An LID could be formed through Council initiative, or at the request of the property owners that want the improvements. For this particular LID, Specht Development, Inc. has submitted a formal "Petition for and Consent to Create a Local Improvement District." Specht Development, Inc. has agreed to deposit, in advance, the cost of preparing the Preliminary Engineer's Report with the understanding that the City include the cost of preparing the report in the total cost of the LID, if and when the City establishes the District. The total cost of the LID would also include the City's contribution for the design and construction management, plus the costs to establish the LID and construct the improvements. The LID formation is contingent upon 50% of the properties by area approving the LID formation. In this case, Specht Development, Inc. is the owner or contract purchaser of fifteen (15) of the twenty five (25) parcels within the proposed LID boundary. These parcels comprise 59% of the land area. The Tigard Municipal Code (TMC) 13.04.020 specifies that an LID may be initiated by written petition of "property owners owning at least fifty percent of the property benefited by the local improvement" Council; or the property owners, could withdraw at anytime if the costs prove to be exorbitant, or if construction of the improvements does not appear feasible. The property owners could stop the LID formation if two-thirds of them (by area) remonstrate against the LID formation. Since there is one major property owner for this LID, if Specht Development, Inc. decides it does not want to proceed, we would terminate the LID process.

The City would provide the interim financing to design and construct the project, and then issue bonds after the project is completed and the total costs are known. The benefited property owners would be assessed their share of the LID costs with repayment over a 10-year period, or longer, or all at once, if they choose.

If Council moves to proceed with establishing the Local Improvement District in the Tigard Triangle, the following estimated time line can be expected. It should be noted that the attached schedule does not include the necessary time to select a consultant to prepare the Preliminary Engineer's Report. (Attachment 1.2; p. 15-16).

Issues To Be Resolved

Some of the major issues that need to be resolved for the successful implementation of the improvements in the proposed LID are:

- Acquisition of Right of Way along SW 70th Avenue, if necessary.
- Connection to existing improvements and infrastructure. (Particularly, Storm and Sanitary Sewer).

Recommendations

The LID appears feasible. To comprehensively address the roadway improvement deficiencies in the Tigard Triangle, staff recommends the following:

- That Council direct staff to proceed with the next step in the LID process. This would require a resolution directing staff to proceed with the preparation of a Preliminary Engineer's Report. This report would examine the overall scope of work and associated cost assessment per tax lot owner within the LID boundary. Specht Development, Inc. has agreed to deposit, in advance, the cost of preparing the Preliminary Engineer's Report with the understanding that the City include the cost of preparing the report in the LID, if and when the City establishes the District.



January 25, 2006

Gus Duenas, City Engineer
Engineering Department
City of Tigard
13125 SW Hall Blvd.
Tigard, Oregon 97223

RE: Proposed Local Improvement District in Tigard Triangle area

Dear Mr. Duenas:

On behalf of Specht Development, Inc., I am submitting ten (10) copies of a petition requesting the City Council to form a Local Improvement District (LID) and make public street and utility improvements to certain streets within the Tigard Triangle area. Specht Development, Inc. is the owner or contract purchaser of 15 out of the 25 parcels within the proposed LID boundary; these parcels represent 59% of the land area and 64% of the street frontage within the proposed assessment district. This is significantly more than the minimum required by Tigard Municipal Code (TMC) 13.04.020, which requires "property owners owning at least fifty percent of the property benefited by the local improvement" to initiate a Local Improvement District by written petition.

The proposed LID would include street and utility improvements to SW 68th Avenue, SW 69th Avenue, SW 70th Avenue, SW Dartmouth Street and SW Clinton Street, all within the "Tigard Triangle", between SW Dartmouth Street and SW Baylor Street, and between SW 68th Avenue and SW 70th Avenue. These streets are currently substandard; or, in the case of SW 70th Street, non-existent. This LID would make improvements similar to the improvements made to SW 69th Avenue south of Dartmouth Street. As you know, Specht Development, Inc. initiated a successful LID for those improvements in 1998.

We respectfully request that your office prepare a Preliminary Evaluation Report for the City Council's consideration, and schedule this matter before the City Council at the earliest possible date. If the City Council adopts a Resolution directing that a Preliminary Engineer's Report be prepared, Specht Development, Inc. will pay in advance the cost of preparing that report, in accordance with TMC 13.04.030, with the understanding that the City will include the cost of preparing the report in the LID, if and when the City establishes the District.

Thank you, Gus.

Sincerely,

Ed Murphy
Comprehensive Planning Manager

Project File # 1017.001

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Hillsboro, OR
Vancouver, WA
Corvallis, OR
Cedar Rapids, IA
Portland, OR
Carmichael, CA

PETITION FOR AND CONSENT TO CREATE A LOCAL IMPROVEMENT DISTRICT

THE HONORABLE MAYOR AND CITY COUNCIL
City of Tigard
County of Washington
State of Oregon

In the matter of the Improvement of lands described as:

Street and utility improvements to SW 68th Avenue, SW 69th Avenue, SW 70th Avenue, SW Dartmouth Street and SW Clinton Street, all within the "Tigard Triangle" between SW Dartmouth Street and SW Baylor Street, and between SW 68th Avenue and SW 70th Avenue.

We, the undersigned petitioners, hereby request that the City of Tigard investigate the feasibility of forming a Local Improvement District (LID) and draft a Preliminary Evaluation Report for the City Council's consideration. The evaluation would review the feasibility and estimated costs of making public improvements to these streets through the creation of an assessment district. If the Preliminary Evaluation Report determines that the LID is feasible, we request that the City Council direct the engineering staff to proceed to the next step and prepare a Preliminary Engineering Report.

The LID would be for the express purpose of:

Improving the following streets to partial or full city street standards, including streets, curbs, gutters, sidewalks, street trees, street lights and signage; sanitary sewer; water, including fire hydrants; storm drainage facilities; undergrounding of overhead utilities; acquisition of additional right-of-way or easements acquisition, if necessary; street and utility engineering design and related professional service:

- SW 68th Avenue, between SW Dartmouth Street and SW Baylor Street;
- SW 69th Avenue between SW Dartmouth Street and SW Baylor Street;
- SW 70th Avenue between SW Dartmouth St and SW Baylor Street;
- SW Dartmouth Street between SW 68th and SW 69th Avenues;
- SW Clinton Street between SW 68th and SW 70th Avenues.

The area hereby to be improved by the creation of an assessment district comprises approximately 10 acres, counting existing right-of-ways. The area and the proposed LID are more specifically explained in the Exhibits attached to this petition, which are all by reference herein made a part of this petition, and which include the following:

- Exhibit 'A' is a list of the properties to be included in the LID;
- Exhibit 'B' is a narrative description of the proposed improvements;
- Exhibit 'C' includes maps (Figures 1-6) which illustrate the general location, the proposed boundary, the property ownerships, and the parcel size and parcel frontage of each parcel within the LID;

- Exhibit 'D' provides detail on the area and frontage calculations, including the percentage of the area and frontage which is owned by Specht Development, Inc., which is summarized on Figures 5 and 6 of Exhibit 'C'.

We hereby declare that we, the undersigned petitioners:

- (1) Are in fact the owner or the contract purchaser of the indicated properties;
- (2) Represent at least fifty percent (50%) of the property benefited by the proposed local improvement district;
- (3) Understand that the cost of these improvements would be borne by the benefited property owners if a local improvement district were formed;
- (4) State that by signing this petition we are only acknowledging an interest in having a preliminary engineering report completed, and are not committed to supporting any local improvement district that may be proposed as a result of the City's evaluation and report.

WHEREFORE, petitioners request that said preliminary investigation be accomplished, and a Preliminary Evaluation Report be delivered to the City Council regarding the feasibility of creating an assessment district, and further that, if the LID appears to be feasible, the City Council of the City of Tigard, Oregon, direct staff to prepare a Preliminary Engineering Report and expedite the study as much as possible.

SIGNATURE	COMPANY	ADDRESS	TAX LOT # (WCTM 15136DD)
Todd R. Shaffer	SPECHT DEVELOPMENT, INC.	15400 SW MILLIKEN BENTON OR 97006	2100
Todd R. Shaffer	"	"	2200
Todd R. Shaffer	"	"	2300
Todd R. Shaffer	"	"	2500
Todd R. Shaffer	"	"	2900
Todd R. Shaffer	"	"	3000
Todd R. Shaffer	"	"	3001
Todd R. Shaffer	"	"	3100
Todd R. Shaffer	"	"	6100
Todd R. Shaffer	"	"	6200
Todd R. Shaffer	"	"	6300
Todd R. Shaffer	"	"	6500
Todd R. Shaffer	"	"	6600

Todd K. Shreffers	SPECTR DEVELOPMENT, INC.	15400 SW MILLIKAN BENTON CT 97006	6700
Todd K. Shreffers	"	"	6800

EXHIBIT 'A'**PROPERTIES INCLUDED WITHIN THE PROPOSED
LOCAL IMPROVEMENT DISTRICT**

The following tax lots, all on Washington County Tax Assessor's Map 1S136DD:

<u>Tax Lot #</u>	<u>Owner or contract purchaser</u>
2100	Pollock, Donald E & Julia Gall / Specht Development, Inc.
2200	Pollock, Donald E / Specht Development, Inc.
2300	Carpenter, Richard L / Specht Development, Inc.
2500	Dickey, Velda A / Specht Development, Inc.
2900	Specht Development, Inc.
3000	Specht Development, Inc.
3001	Specht Development, Inc.
3100	Specht Development, Inc.
6100	Specht Development, Inc.
6200	Specht Development, Inc.
6300	Specht Development, Inc.
6500	Specht Development, Inc.
6600	Specht Development, Inc.
6700	Specht Development, Inc.
6800	Specht Development, Inc.
1900	John Carl Coon & Mary G. Olsen, Trustee
2000	Paul B. Wagar Jr. & Kaneko T TRS
2400	Sternberg Family Limited Partner
2700	Lavida E. Miller
2800	Glenn L. and Sharon L. Moore
3290	Judy Lorraine Strojny & Diane Louise Baldwin
6900	J. T. Jr. and Theresa A. Roth
7001	Jacob T. Jr. and Theresa A. Roth
7300	Kenneth and Marilyn Rosenfeld
7601	Marzle Salarie

EXHIBIT 'B'

NARRATIVE DESCRIPTION OF THE PROPOSED PROJECT

The proposed project would improve the public streets and utilities to partial or full city standards. Specifically, the project would improve:

- Partial street improvements to SW 68th Avenue, between SW Dartmouth Street and SW Baylor Street, along the west side of the street only (Pacific NW Properties is improving the east side of the street as a condition of development), and not including tax lot 2600 (1S136DD), which is already developed;
- Full street and utility improvements to SW 69th Avenue between SW Dartmouth Street and SW Baylor Street, along both sides (except that portion between SW Dartmouth Street and SW Clinton Street along the west side of SW 69th Avenue, which is being developed by Pacific NW Properties as a condition of development);
- Partial street improvements to SW 70th Avenue between SW Dartmouth St and SW Baylor Street, along the east side of the street only, and not including tax lot 7500 (1S136DD), which is already being developed by Pacific NW Properties as a condition of development;
- Partial Street Improvements to SW Dartmouth Street between SW 68th and SW 69th Avenues, on the north side of SW Dartmouth Street only;
- Full street and utility improvements to SW Clinton Street between SW 68th and SW 70th Avenues.

The street standards assumed in this proposed local improvement district are as follows:

- SW 68th Avenue would be 44-feet wide in a 70-foot wide right-of-way;
- SW 69th Avenue would be 36-feet wide in a 60-foot wide right-of-way;
- SW 70th Avenue would be a "1/2" street improvement, i.e., 18-feet wide in a 30-foot wide right-of-way, with curbs, sidewalks, landscape strip and street trees on the east side only;
- SW Dartmouth Avenue would be 56-feet wide in a 94-foot wide right-of-way.

There appears to be enough right-of-way available for the proposed improvements, therefore it should not be necessary for the City to acquire additional right-of-way or easements. However, if there is a need to acquire for additional right-of-way or public easements, the costs of such acquisitions would be added to the LID.

In addition to any right-of-way acquisition and construction costs, other costs will be folded into the local improvement district, including but not limited to city staff and consultant time and materials for survey, engineering design, project administration, legal services and financing costs.

EXHIBIT 'C'

SUPPORTING ILLUSTRATIONS

The following figures illustrate the percentage of the property area and property frontage owned by Specht Development, Inc.

Figure 1 – This figure illustrates the location of the proposed Local Improvement District, which is within the "Tigard Triangle", generally north of Dartmouth Street, between I-5 and SW 72nd Avenue;

Figure 2 – This figure is an aerial photograph which shows the proposed LID boundary and the parcels that would be included in the assessment district;

Figure 3 – This figure shows the ownerships of the properties in and adjacent to the proposed LID boundary;

Figure 4 - This figure illustrates the proposed local improvement district boundary, and the areas where street and utility improvements would be made. All public improvements made as part of the LID project would be within this boundary;

Figure 5 - This figure shows the total land area, in square footage, of the parcels within the proposed LID, and the percentage of the square footage owned by Specht Development, Inc.

Figure 6 – This figure shows the total street frontage of the parcels within the proposed LID, and the percentage of the street frontage of parcels owned by Specht Development, Inc.

FIGURE 1

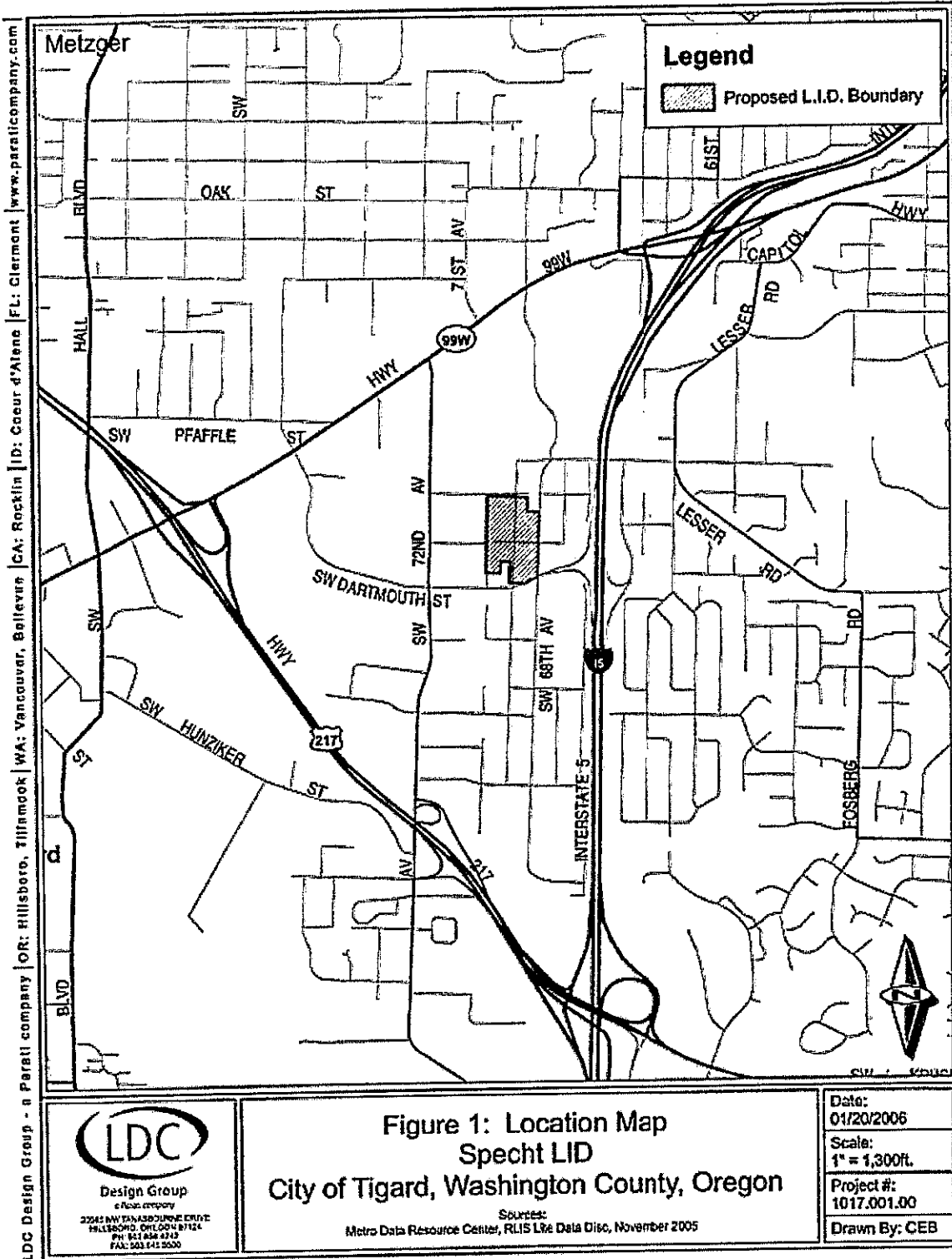


FIGURE 2

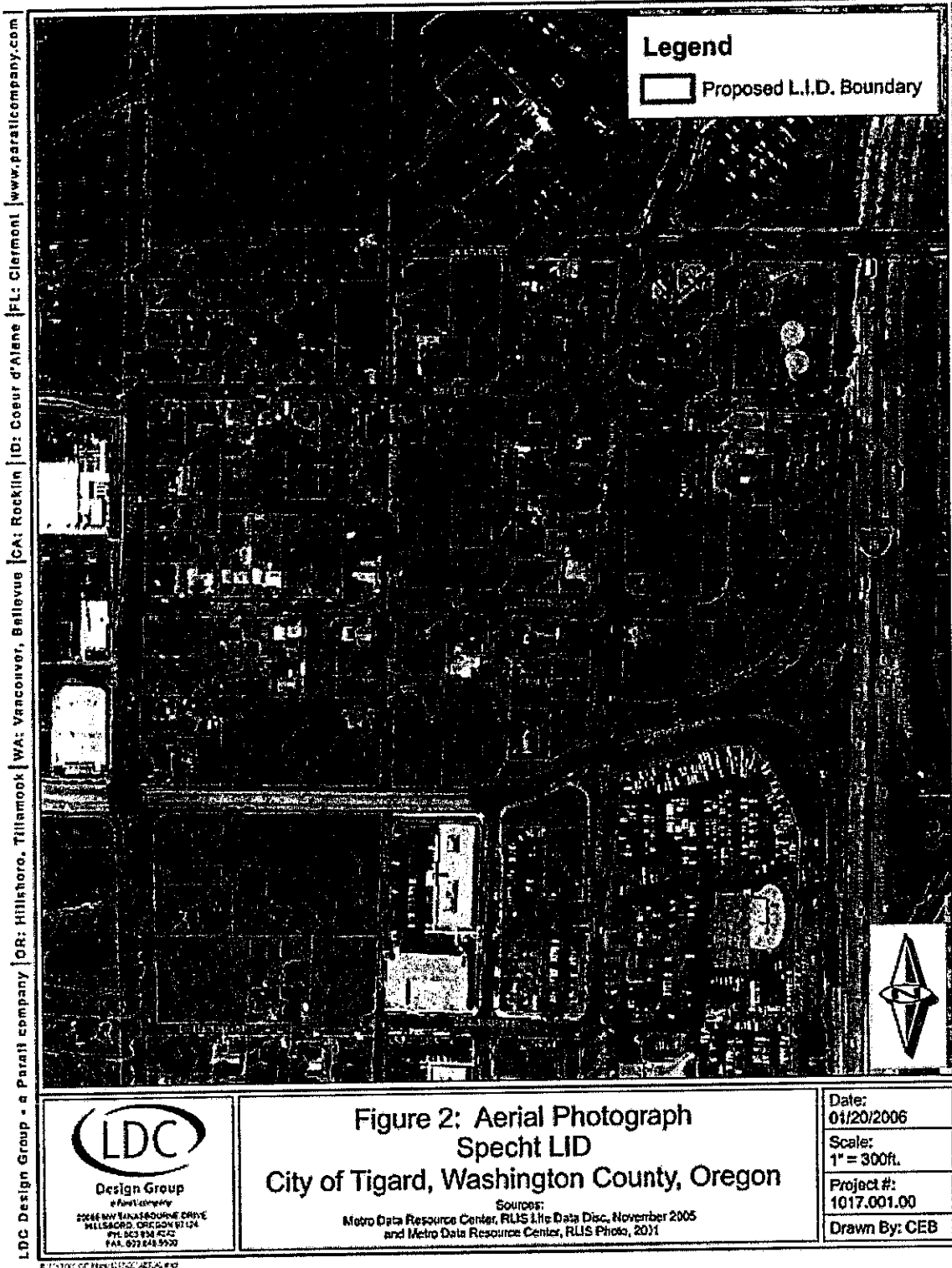


FIGURE 3

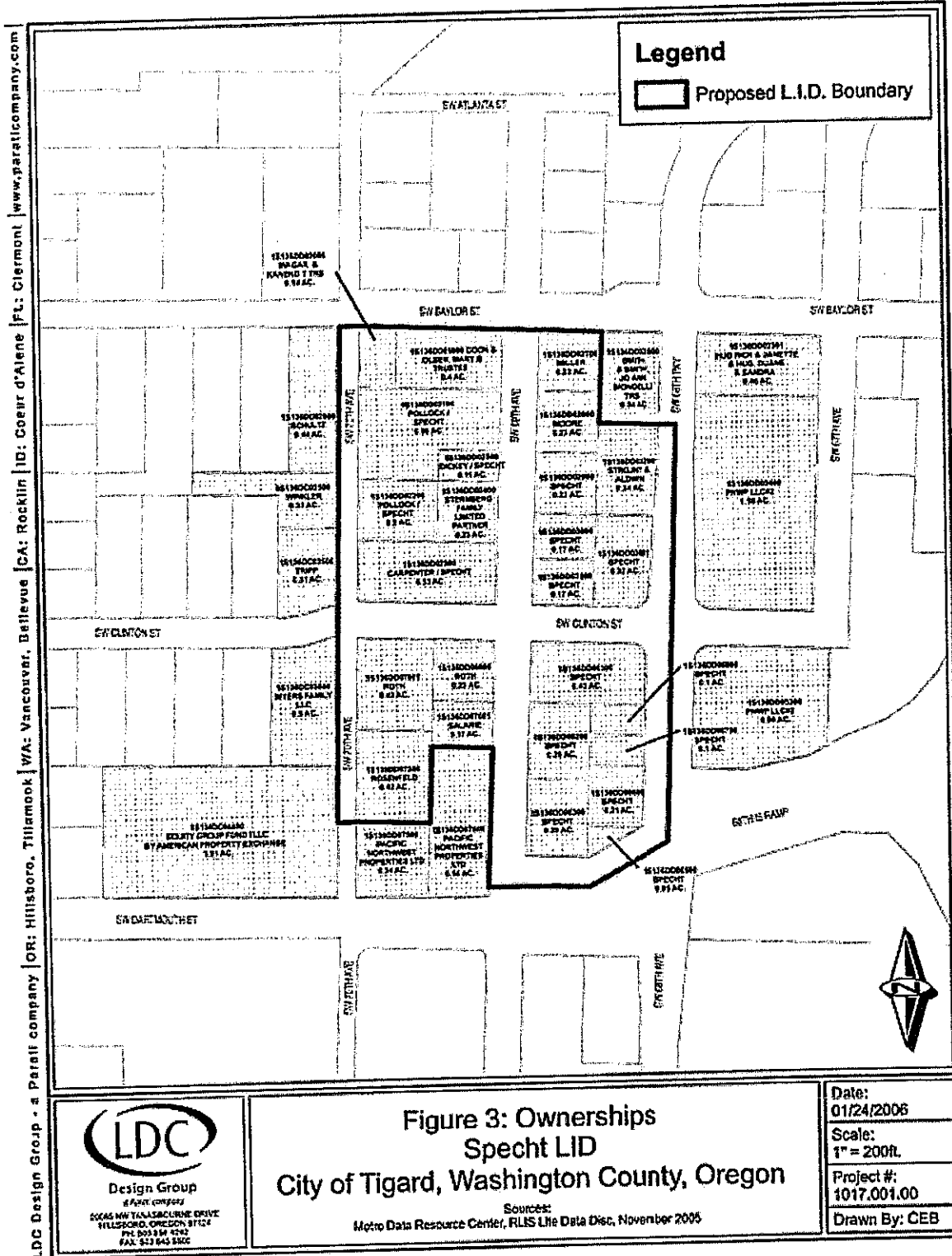


FIGURE 4

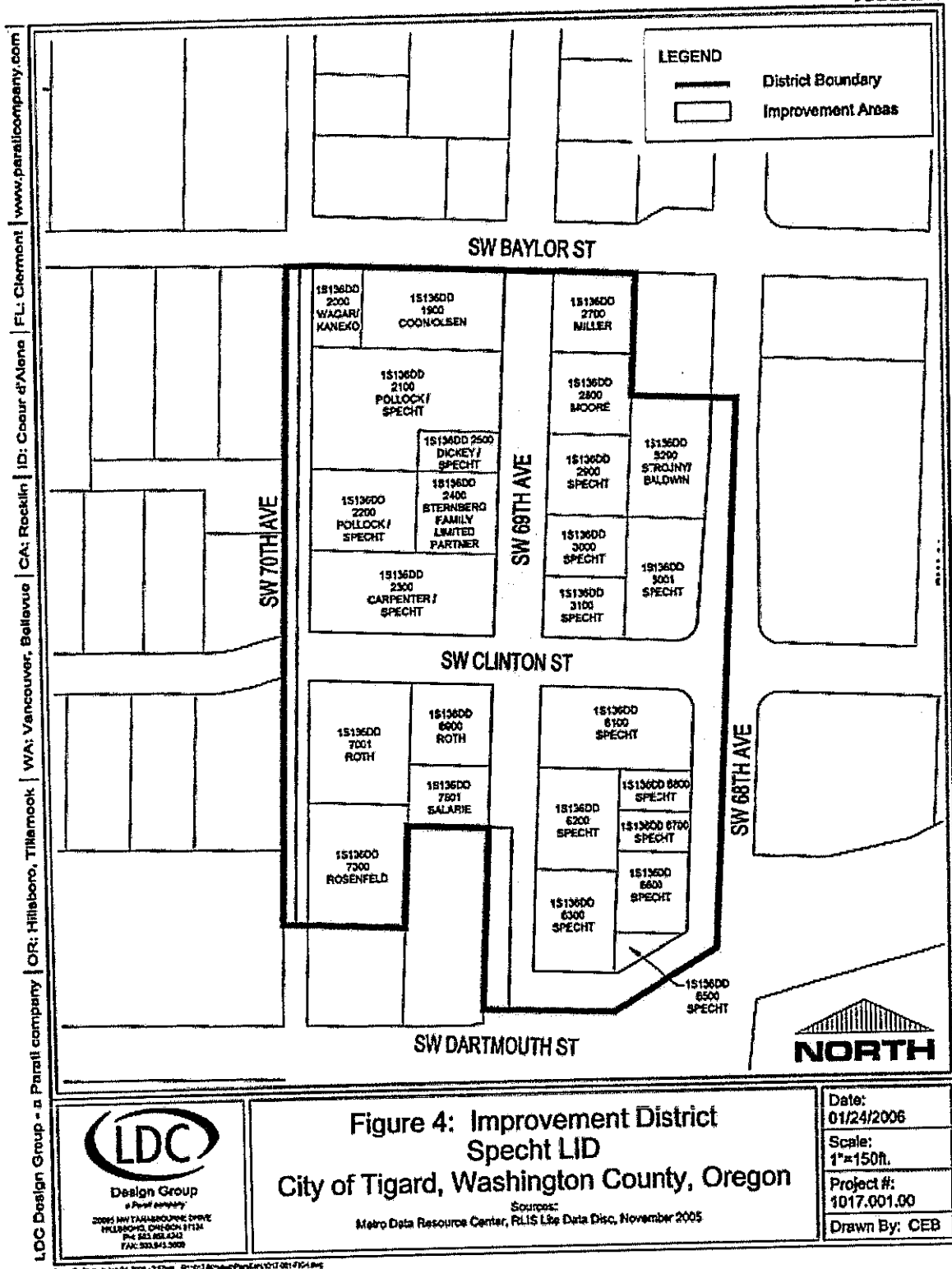


FIGURE 5

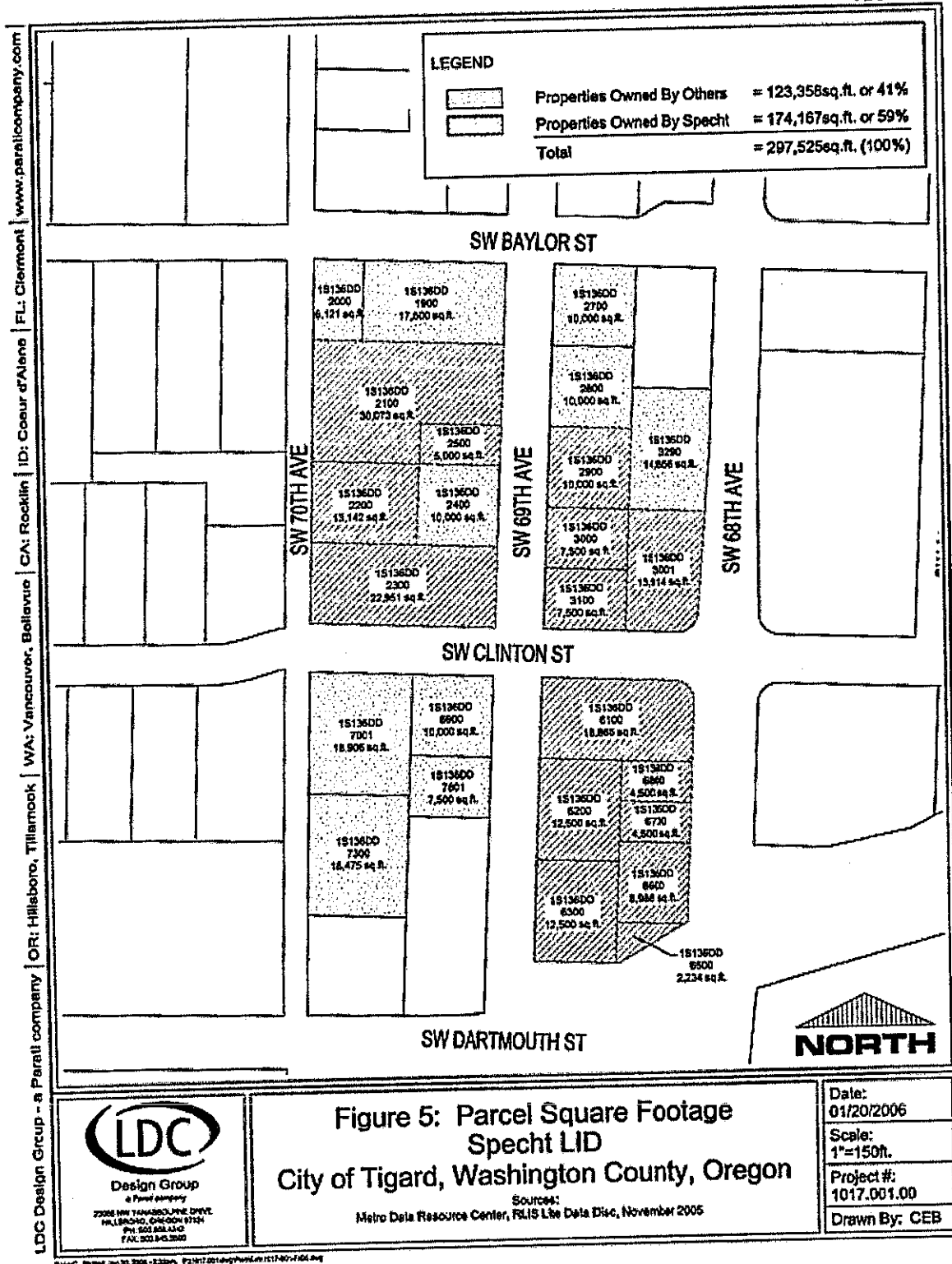


FIGURE 6

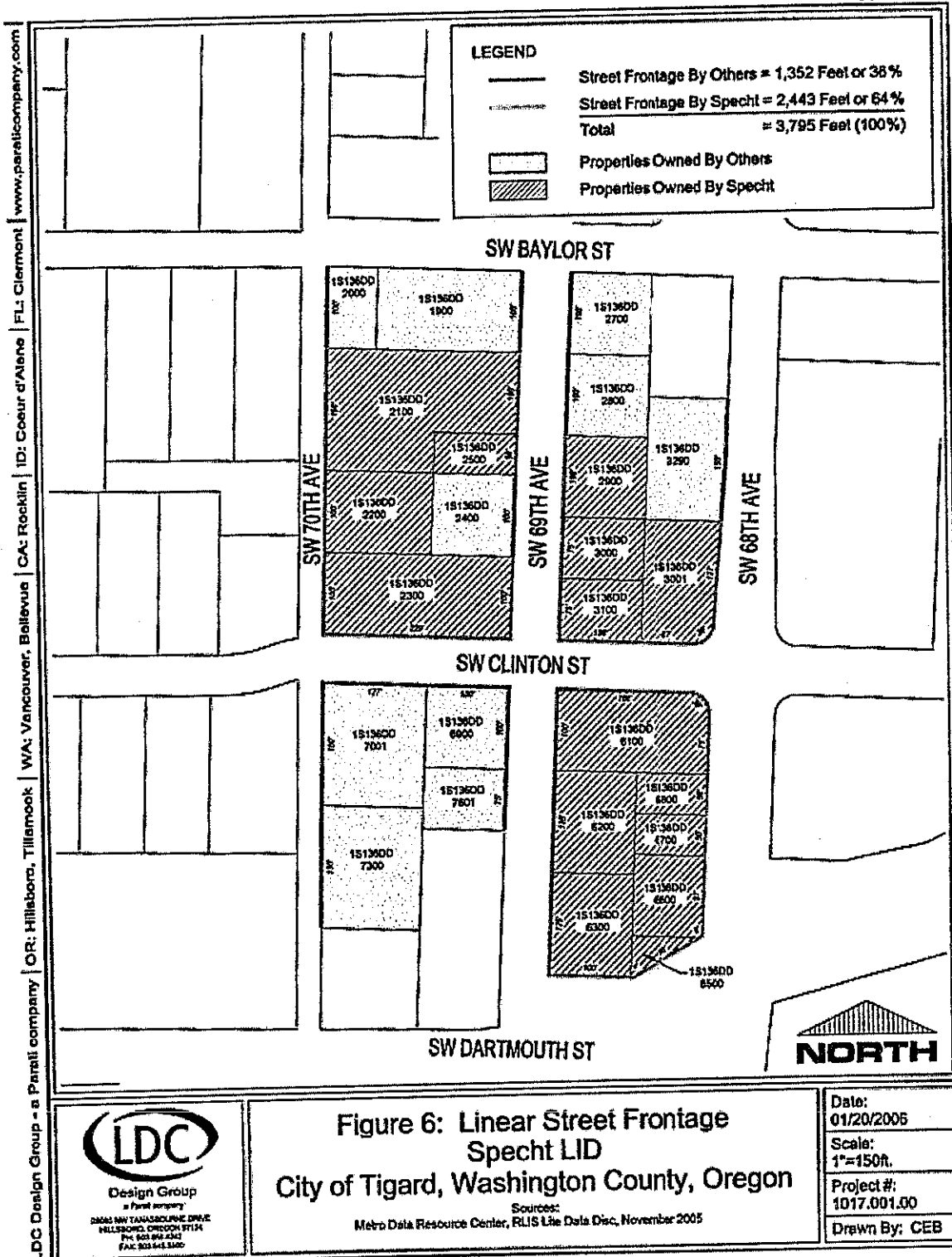


EXHIBIT 'D'

2006 Tigard Triangle LID Initiation Support Chart

Owner Name	Purchased by Specht?	LID Support				68th, 69th, 70th and Clinton	
		Tax Lot #	Sq. Footage	Total Frontage (ft)	In LID	Frontage (ft)	Sq. Footage
TAX Map 1S136DD							
Pollock / Specht	Y	2100	30,073	250	X	250	30,073
Pollock / Specht	Y	2200	13,142	100	X	100	13,142
Carpenter / Specht	Y	2300	22,951	429	X	429	22,951
Dickey / Specht	Y	2500	5,000	50	X	50	5,000
Specht	Y	2900	10,000	100	X	100	10,000
Specht	Y	3000	7,500	75	X	75	7,500
Specht	Y	3001	13,914	232	X	232	13,914
Specht	Y	3100	7,500	175	X	175	7,500
Specht	Y	6100	18,865	380	X	380	18,865
Specht	Y	6200	12,500	125	X	125	12,500
Specht	Y	6300	12,500	225	X	225	12,500
Specht	Y	6500	2,234	99	X	99	2,234
Specht	Y	6600	8,988	103	X	103	8,988
Specht	Y	6700	4,500	50	X	50	4,500
Specht	Y	6800	4,500	50	X	50	4,500
Subtotal, Specht			174,167	2443		2,443	174,167
Wagar/Kanelo	N	2000	6,121	162	X	100	6,121
Coon/Olsen	N	1900	17,500	275	X	100	17,500
Stenberg	N	2400	10,000	100	X	100	10,000
Miller	N	2700	10,000	200	X	200	10,000
Moore	N	2800	10,000	100	X	100	10,000
Strohn/Baldwin	N	3280	14,856	150	X	150	14,856
Roth	N	7001	18,906	277	X	277	18,906
Roth	N	6900	10,000	200	X	200	10,000
Rosenfield	N	7300	18,475	150	X	150	18,475
Salaie	N	7601	7,500	75	X	75	7,500
Subtotal, Others						1,452	123,358
Total						3,895	297,525
% controlled by Specht						63%	59%

1/23/06

**Specht Triangle LID
Tentative Schedule
12/01/05**

PHASE I: INITIATE LID

- | | |
|---|------------------|
| 1. Develop tentative LID boundary | 11/25/05 |
| 2. Review with City staff | 11/29/05 |
| 3. Meet with individual property owners | 12/01 – 12/09/05 |
| 4. Revise boundary | 12/12/05 |
| 5. Meet with City Engineer | 12/15/05 |
| 6. Neighborhood meeting (optional) | 1/12/06 |
| 7. Submit petition to City staff | 1/20/06 |
| 8. Petition presented to City Council | 2/14/06 |

PHASE II: FORMATION OF LID

- | | |
|--|---------|
| 9. Council requests Engineering Report | 2/14/06 |
| 10. Specht deposits funds | 2/17/06 |
| 11. Preliminary Eng. Report completed | 4/14/06 |
| 12. Council adopts Report, calls for hearing | 5/9/06 |
| 13. Public Hearing | 6/16/06 |
| 14. Adoption of LID Ord. and assessment roll | 6/16/06 |

PHASE III: CONSTRUCTION DRAWINGS

- | | |
|--|---------|
| 15. Complete Final construction drawings | 7/21/06 |
| 16. Construction loan | 7/28/06 |
| 17. Advertise for bids | 7/28/06 |
| 18. Award bid | 9/12/06 |

PHASE IV: CONSTRUCTION

- | | |
|--------------------------------|----------|
| 19. Construction starts | 9/25/06 |
| 20. Construction completed | 12/22/06 |
| 21. Acceptance of improvements | 1/31/07 |

22. Final costs tabulated 2/28/07

PHASE V: FINAL ASSESSMENT ROLL

23. Final engineering rpt/assessment roll 3/30/07

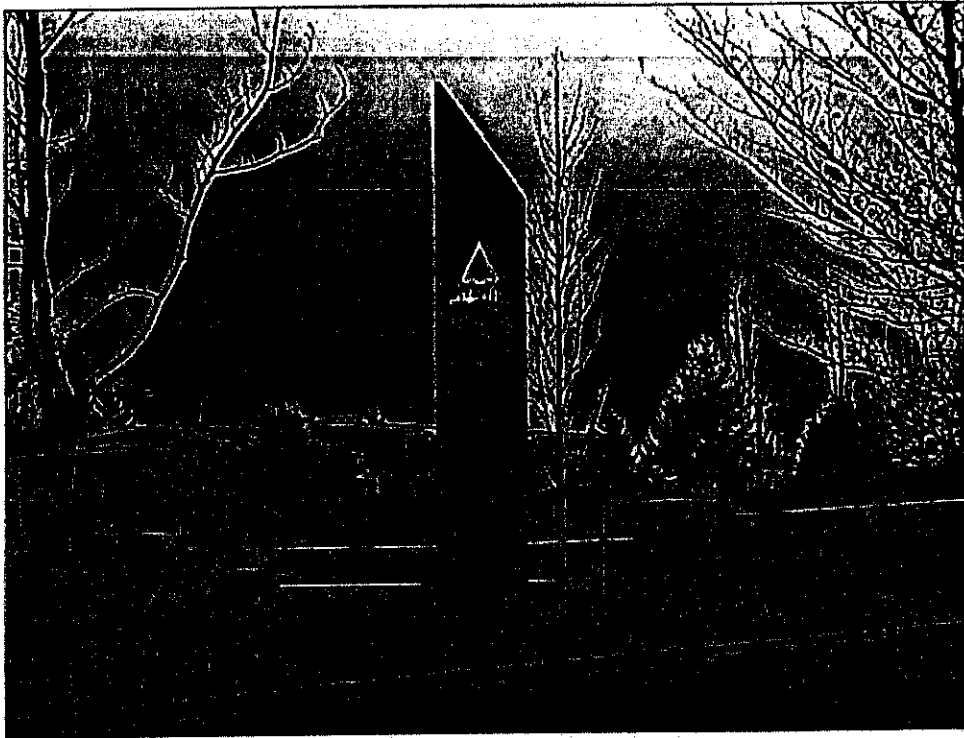
24. Council adopts final assessment roll 4/24/07

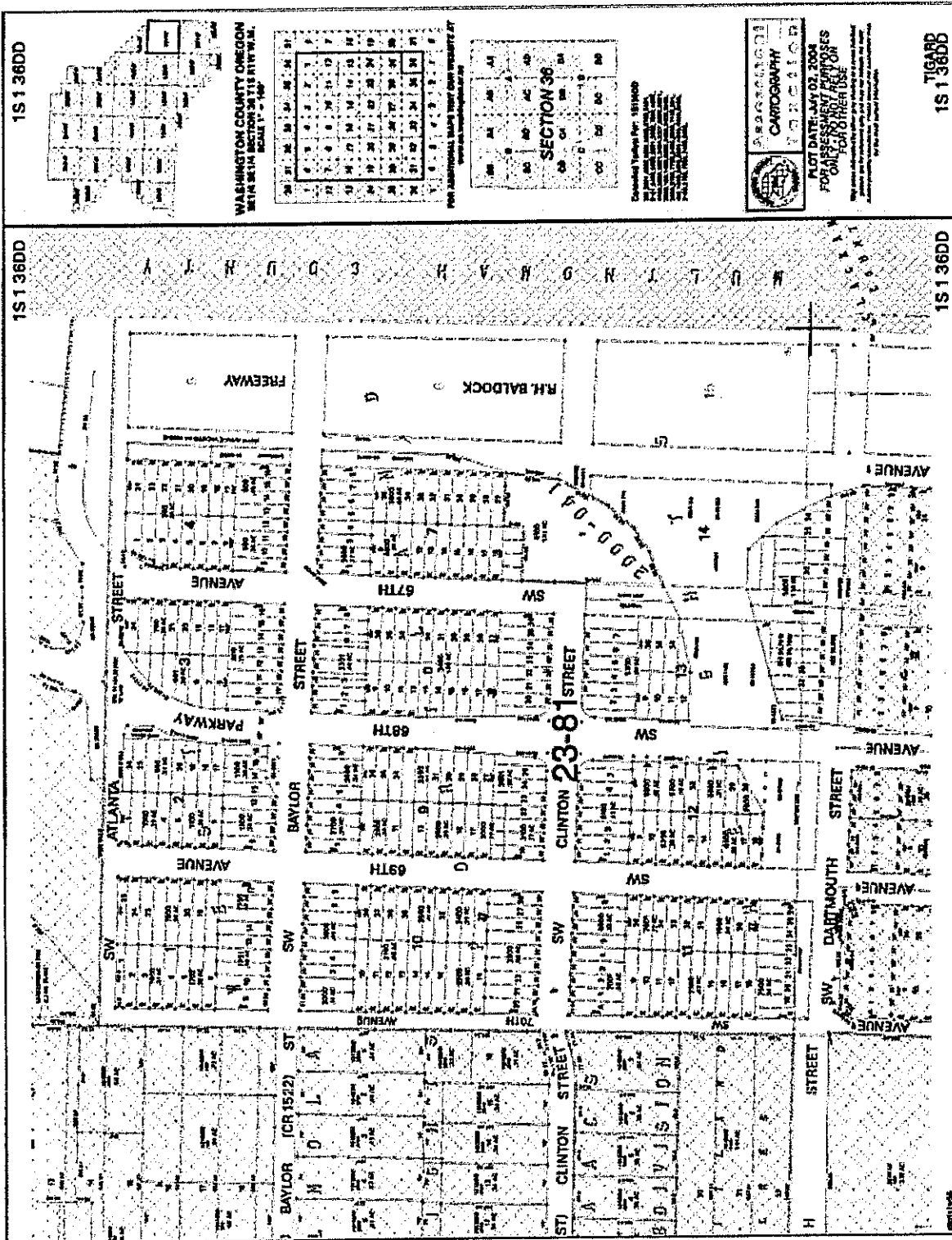
PHASE VI: SALE OF BONDS

25. Sale of assessment bonds 6/15/07

26. First assessment notice 1/15/08

Tigard Triangle Portal
72nd Ave at HWY 217 On/Off Ramp Intersection







February 17, 2006

SPECHT PROPERTIES
SPECHT DEVELOPMENT

15000 S.W. McMullen Way • Beaverton, OR 97005
503.636.6600 Fax 503.636.6603
www.spechtproperties.com

Mr. Agustin P. Duenas
City Engineer
City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

Re: Tigard Triangle LID

Dear Gus:

Thank you for the opportunity to meet with you and Marco Cabanillas yesterday. Per your request, we have summarized our agreement as it pertains to the deposit for the Preliminary Engineer's Report:

- Specht shall have the opportunity to review and discuss the scope of the Request for Proposal for the Preliminary Engineering Report.
- The City of Tigard ("the City") will use its consultant selection process to select a consultant to prepare the Preliminary Engineering Report and associated work for the LID.
- Specht will deposit funds equal to the consultant's cost to prepare the Preliminary Engineering Report, plus a reasonable estimated amount for City Staff's involvement in the Project subsequent to City Council approving the resolution to prepare the Preliminary Engineering Report.
- The deposit by Specht Development, Inc. will be held by the City to mitigate the risk of paying for the Preliminary Engineering Report should the LID not be formed for any reason. If Council forms the LID, all costs to prepare the Preliminary Engineering Report (from the date of the resolution) will be included in the LID as part of the LID costs and will be included in the assessments to benefited property owners. As a result, at the time the City Council forms the LID, the deposit money will be returned to Specht.
- Should the City Council not form the LID, any funds not used shall be returned to Specht.
- Specht reserves the right to withdraw its support of the LID at any time. At that time, any unused funds from the deposit will be returned to Specht.

We look forward to working with the City on this Project and are excited for the chance to provide tangible benefits to the community. Should you have any questions, please do not hesitate to contact me.

Best Regards,

SPECHT DEVELOPMENT, INC.

Todd Sheaffer
Chief Operating Officer

C: Marco Cabanillas
Ed Murphy, LDC Design Group
Greg Specht, Pete Kirby